

Exhibit Z

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

)
GUARDANT HEALTH, INC.,)
)
PLAINTIFF,)
)
VS.) CASE NO.
) 3:21-CV-04062-EMC
NATERA, INC.,)
)
DEFENDANT.)
_____)

** HIGHLY CONFIDENTIAL **

REMOTE PROCEEDINGS OF
VIDEOTAPED DEPOSITION OF
DANIEL F. HEITJAN, PH.D.
WEDNESDAY, JULY 17, 2024

JOB NO. SF 6804613
REPORTED BY: REAGAN EVANS, RPR, RMR, CRR, CCRR,
CLR, CRC, CA CSR NO. 8176

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1 I don't think these people had bad
2 intentions. I don't think they're dummies. I think
3 they somehow blundered into a bad decision and it
4 cost them.

5 Q Does Guardant bear any responsibility in 13:38:47
6 the results in the COBRA trial being terminated when
7 it did --

8 MR. SCOLNICK: Objection to form.

9 THE WITNESS: Well, I wasn't aware that
10 this was a question of assigning blame for this. 13:39:02
11 That's not really -- that's not really what I'm here
12 for.

13 BY MR. BRAMHALL:

14 Q Do you think it's appropriate for you or
15 anyone else to assign blame on the NCI, NRG, or the 13:39:12
16 COBRA PIs?

17 MR. SCOLNICK: Objection to form.

18 THE WITNESS: I'll make it clear what my
19 position is, that the -- the interim analysis was
20 poorly planned. And the decision to go along with 13:39:27
21 that was not a good one.

22 BY MR. BRAMHALL:

23 Q Knowing what we know now; right?

24 A Well, we -- are there things we know now
25 that we didn't know then? 13:39:46

1 I mean, what we know now is that it was a
2 catastrophic failure. Were other facts available --
3 are there facts available now that weren't available
4 then?

5 Other than that, I'm not sure what they 13:40:01
6 were.

7 I think saying that, Well, we're going to
8 take this big multimillion-dollar effort involving
9 hundreds of patients and all these people and all,
10 everybody's time and make everything depend on this 13:40:13
11 little bitty analysis of 16 people, I think that
12 could have been foreseen.

13 Of course, it's clear now that it was a
14 mistake. I think it was foreseeable it was a
15 mistake, but, you know, sometimes people make 13:40:28
16 mistakes.

17 Q Would you agree --

18 MR. SCOLNICK: When you change gears and
19 pick up a new topic, we have been going about an
20 hour. 13:40:42

21 MR. BRAMHALL: Sure. Let me just ask a
22 couple more.

23 MR. SCOLNICK: Sure.

24 BY MR. BRAMHALL:

25 Q Dr. Heitjan, you don't deny that Reveal's 13:40:47

REPORTER'S CERTIFICATE

I, Reagan Evans, RPR, RMR, CRR, CCRR, CLR, CRC, CSR No. 8176, in and for the State of California, do hereby certify:

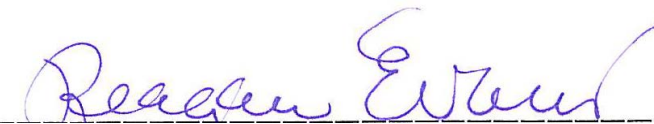
That prior to being examined, the witness named in the foregoing deposition was by me duly sworn to testify to the truth, the whole truth, and nothing but the truth;

That said remote deposition was taken down by me in shorthand at the time and place therein named and thereafter reduced to typewriting under my direction, and the same is a true, correct, and complete transcript of said proceedings;

That if the foregoing pertains to the original transcript of a deposition in a federal case, before completion of the proceedings, review of the transcript {X} was { } was not required.

I further certify that I am not interested in the event of the action.

Witness my hand this 18th day of July, 2024.



Certified Shorthand Reporter
for the State of California